

REGULATORY LOAN ACT OF 1963

LICENSE APPLICATION
PROCEDURES
(For FIS 1026)

The Director of the Department of Insurance and Financial Services has determined that this application is available for public inspection or copying pursuant to the provisions of the Freedom of Information Act, PA 442 of 1976, MCL 15.231 *et seq*; and section 2109 of the Michigan Banking Code of 1999, as amended, MCL 487.12109. Accordingly, except as otherwise indicated in this application, the contents of the application shall be disclosed to any person who properly requests an opportunity for inspection, examination, or copying.

I. GENERAL INSTRUCTIONS

- A. The application for a license must be made in writing (ink or typed) to the Director of the Department of Insurance and Financial Services on the attached forms. If, after investigation, the Director determines that the financial responsibility, experience, character, and general fitness of the applicant, and of the applicant's members, officers, and directors are such as to command the confidence of the community and to warrant belief that the business will be operated lawfully, honestly, fairly and efficiently within the purposes of the Regulatory Loan Act of 1963, the Director will issue and deliver a license to the applicant to engage in the making of regulatory loans pursuant to the Regulatory Loan Act of 1963 at the location specified in the application.
- B. The Office will not accept an incomplete application. Complete responses to all questions are required. Do not leave any question blank - Enter N/A or None if not applicable.
- C. The application must be filed with original signatures where applicable.
- D. If the applicant is a Corporation or a Limited Liability Company, the resident agent and resident agent's address must agree with that on file with the Corporation Division.
- E. A financial statement is required, and must be completed in the APPLICANT'S name.
- F. The applicant may provide additional information in support of this application as deemed appropriate.

II. STATUS OF APPLICANT

- A. The applicant must be identified as one of the following:

An individual doing business under his or her own name, an individual doing business under an assumed name or trade name, a co-partnership, an association, a Michigan corporation, Michigan limited liability company, or a foreign corporation or limited liability company.

- B. The financial responsibility, experience, character and general fitness of the applicant are considered during the processing of the application. If the applicant is a corporation and is operating in other states, the regulators in those states may be contacted to determine their experience with the applicant.

- C. If the applicant is a corporation subject to the disclosure requirements of the Securities Exchange Act, a copy of the most recent annual report filed with the Securities and Exchange Commission (Form 10-K) should be made a part of the application.

III. ACCOMPANYING DOCUMENTS

- A. All applications must be accompanied by a copy of the Contract that will be used for Michigan clients.
- B. A Personal Disclosure Statement must be completed and submitted as part of the application. Each individual applicant, partner, member, officer, director, shareholder and affiliate identified on page 2 of the application must submit individual Personal Disclosure Statements.
- C. If the applicant is an individual doing business under an assumed name, the application must be accompanied by a certificate executed by the County Clerk verifying compliance with the provisions of Act No. 101, Public Acts of 1907, as amended, [MCL 445.1; MSA 19.821].
- D. If the applicant is a partnership, the application must be accompanied by a certificate executed by the County Clerk indicating compliance with the provisions of Act No. 164, Public Acts of 1913, as amended, [MCL 449.101; MSA 20.111].
- E. If the applicant is a corporation or limited liability company, which operates under an assumed name status, the application must be accompanied by a certificate executed by the Corporation Division indicating compliance with the provisions of section 217 of Act No. 284, Public Acts of 1972, as amended, [MCL 450.1217; MSA 21.200].
- F. If the applicant is a corporation or limited liability company, the application must be accompanied by a certified copy of a Board of Directors Resolution, which authorizes submission of the application to the Director of the of the Department of Insurance and Financial Services on behalf of the corporation or limited liability company. A sample resolution format is enclosed. (See page 6 of the application.)
- G. If the applicant has any additional licenses (real estate, residential builder, etc.), please enclose copies of these with the application.
- H. If the applicant is a corporation or limited liability company, please complete the Affidavit of Official Signing of Application. (See page 8 or 9 of the application.)

IV. MINIMUM NET WORTH

The applicant shall demonstrate to the Director that it has a minimum net worth of \$100,000.00.

V. FEES (Please see fee schedule)

- A. Investigation fee

This fee is non-refundable and is required from all applicants making an initial

application for a license. It is also required at the time of making a first application for a license after the suspension or revocation of a license.

B. License fee

This fee is required from all applicants making an initial application for a license and is required annually thereafter for a license renewal. It is refundable if the application is denied.

C. Mail your check, payable to the State of Michigan, and the complete application to:

**DIFS – Consumer Finance
PO Box 30220
Lansing MI 48909-7720**

Our delivery address is:

**DIFS – Consumer Finance
530 W. Allegan Street, 7th Floor
Lansing MI 48933**

Questions pertaining to the completion of this application may be directed to the Office's Consumer Finance Licensing Unit at 877-999-6442.

Regulatory Loan License Application

Please read and refer to the accompanying instructions before completing this application.

Name (Corporation, Partnership, Sole Proprietorship, or Individual). Include DBA name(s), if applicable.		
Street Address		
City	State	Zip Code
County	Federal Taxpayer I.D. No.	State Where Organized
Telephone No. ()	Facsimile No. ()	E-mail Address
Title of Contact Person	Name of Contact Person	
Date of Organization	Date admitted into Michigan, if Foreign Corporation or Association	
Name of Michigan Resident Agent	Address of Michigan Resident Agent	
Name of state(s) other than Michigan where the applicant or its affiliates currently conduct business activities.		

STATUS OF APPLICANT: (Check appropriate box)

- | | | |
|---|--|--|
| <input type="checkbox"/> An individual doing business under own name | <input type="checkbox"/> A limited partnership | <input type="checkbox"/> A limited liability company |
| <input type="checkbox"/> An individual doing business under an assumed/trade name | <input type="checkbox"/> A general partnership | <input type="checkbox"/> An association |
| <input type="checkbox"/> A corporation
Michigan corporate I.D. # _____ | | <input type="checkbox"/> Other
(describe) _____ |

1939 PA 21 requires submission of this form by applicants for a license to do business as a Regulatory Loan company. Failure to complete and submit this form properly could result in denial, suspension or revocation of your license.



Michigan Department of Insurance and Financial Services

DIFS is an equal opportunity employer/program.
Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.
Visit DIFS online at: www.michigan.gov/difs Phone DIFS toll-free at: 877-999-6442

If Applicant is other than an individual, list the names of all partners, members, officers, directors, shareholders and affiliates of the firm, co-partnership or association. "Officers" means chief executive and/or operating officer, president, executive or senior vice president, secretary and treasurer. "Shareholders" means all shareholders if the total number of shareholders equals 20 or less, or if there are more than 20 shareholders, only those shareholders holding (or controlling) at least 20% of the outstanding voting stock. (If more space is required, please attach additional sheets as necessary.)

Officer/Member Name	Business Address (Street, City, State, Zip Code)
CEO	
President	
Vice President	
Secretary	
Treasurer	
Member	

Director Name	Business Address (Street, City, State, Zip Code)

Shareholder/Member Name	Stock Ownership (percentage)*	Stock Ownership (no. of shares)

*Copies of issued stock certificates are to be submitted with this application.

Are all Officers, Directors, etc. and their titles, listed above or on a sheet attached to this application? _____

ALL APPLICANTS MUST COMPLETE A FINANCIAL STATEMENT

FINANCIAL STATEMENT AS OF _____
 Month/day/year

Applicant Name _____

Fiscal Year-end of Applicant _____

ASSETS

Cash on Hand and in Banks		\$	_____
Notes Receivable **			_____
Accounts Receivable **			_____
Mortgage Loans and Contracts Receivable			_____
Stocks, Bonds and Other Investments **			_____
Furniture, Fixtures and Equipment			_____
Real Estate and Buildings **			_____
Other Assets **			_____
TOTAL ASSETS		\$	_____

LIABILITIES AND NET WORTH

Notes Payable	\$	_____	
Accounts Payable		_____	
Contracts and Mortgages Payable **		_____	
Other Liabilities **		_____	
TOTAL LIABILITIES		\$	_____
Capital Stock	\$	_____	
Capital Surplus		_____	
Retained Earnings		_____	
TOTAL NET WORTH			_____
TOTAL LIABILITIES AND NET WORTH		\$	_____

** Detail these items on a separate, attached page(s).

Are any of the receivables or other assets shown above due from Officers, Directors, or related companies? _____
 If yes, please detail on a separate page.

None of the assets listed on the foregoing financial statement are pledged to secure payment of liabilities except as follows: (State kind and total of assets pledged, amount of indebtedness so secured and the name of the pledges.)

State all liquid assets available to the applicant for the location disclosed on page 1 of this application.

Please reply to the following questions:	YES	NO
Has any court or regulatory authority ever cancelled, suspended or revoked the authority of the applicant, or of any partnership, association or corporation with which the applicant is, or was associated or affiliated? If yes, please attach a separate sheet giving complete details.		
Has the applicant or any partner(s), member(s), officer(s) or director(s) ever been convicted of a violation of any state or federal criminal statute? If yes, attach a separate sheet giving complete details.		

Provide a general description of the proposed business activities of the applicant. At a minimum, include: what services the applicant will provide to consumers and how the applicant plans to generate business.

Certification

I hereby certify that the foregoing APPLICATION is true and correct to the best of my knowledge and belief. I understand that omissions or inaccuracies may result in denial of the APPLICATION.

Authorized Signature	Title
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STATE OF (_____)

SS

COUNTY OF (_____)

On this _____ day of _____, _____, before me, a Notary Public in and for said County personally appeared _____

* known to me to be said person named in and who executed the foregoing application and made oath that the statements and representations set forth herein are true to the best of his/her knowledge and belief.

(NOTARY SEAL)

Notary Public

My Commission Expires

* Type or print name of person appearing before notary.

Certificate of Resolution

CORPORATE BOARD OF DIRECTORS (For corporate applicants only)

Resolution MUST be completed in applicant's full name, including DBA name(s), if applicable.

This is to certify that at a _____ meeting of the Board of Directors of
Regular or Special

Applicant Name
a corporation organized under the laws of the State of _____, held at the office of
State
said corporation in the _____, of _____
City, Village or Township Name of City, Village or Township

County of _____, State of _____ on the
County State
_____ day of _____, _____, the following resolution was duly and
Date Month Year
legally presented and adopted by majority vote of the Board, to wit:

It being the desire and purpose of the Board of Directors of:

Applicant Name
that this corporation should take steps to be licensed under the provisions of the Regulatory Loan
Act of 1963.

BE IT RESOLVED, that _____ as _____
Name Title
of this corporation, and in his / her official capacity be, and is hereby authorized and directed to
prepare, execute, verify, and present to the proper state authorities of the State of Michigan, and for
and on behalf of, the above named corporation, written application under the provisions of the
Regulatory Loan Act of 1963, authorizing the conducting of said business by this corporation
at _____, in _____
Applicant Street Address Name of City, Village, or Twp.

County of _____, State of _____ and to do all
County State
acts and perform all necessary legal requirements on behalf of said corporation to procure the same.

Authorized Signature	Title	Date
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Certificate of Resolution

(For limited liability company applicants only)

Resolution MUST be completed in applicant's full name, including DBA name(s), if applicable.

This is to certify that at a _____ meeting of the Members of
Regular or Special

_____,
Applicant Name
a limited liability company organized under the Laws of the State of _____, held
State
at the office of said limited liability company in the _____, of _____
City, Village, or Township Name of City, Village or Township

County of _____, State _____, on the _____ day of
County State Date
_____, _____, the following resolution was duly and legally presented and adopted
Month Year
by majority vote of the Members, to wit:

It being the desire and purpose of the Members of:

Applicant Name
that this limited liability company should take steps to be licensed under the provisions of the
Regulatory Loan Act of 1963.

BE IT RESOLVED, that _____ as _____
Name Title
of this limited liability company, and in his/her official capacity be, and is hereby authorized and
directed to prepare, execute, verify, and present to the proper state authorities of the State of
Michigan, and for and on behalf of the above named company, written application under the
provisions of the Regulatory Loan Act of 1963, authorizing the conducting of said business by
this limited Liability company at _____ in the
Applicant Street Address
_____, County of _____, State of
City, Village or Twp. County
_____ and to do all acts and perform all necessary legal requirements
State
on behalf of said limited liability company to procure the same.

Authorized Signature	Title	Date
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Affidavit

Official Signing of Application (For corporate applicants only)

I, _____ of
Name and Title of Official

Applicant Name

a corporation organized in the State of _____, do hereby declare that I am duly authorized to file the foregoing application and that the statements and representations set forth therein are true to the best of my knowledge and belief.

Authorized Signature	Title
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STATE OF (_____)

SS

COUNTY OF (_____)

Subscribed and sworn to before me, a Notary Public in and for said County, on this _____ day of _____, _____.

(NOTARY SEAL)

Notary Public

My Commission Expires

Affidavit

Official Signing of Application (For limited liability company applicants only)

I, _____ of
Name and Title of Official

Applicant Name

a limited liability company organized in the State of _____, do hereby
declare that I am duly authorized to file the foregoing application and that the statements and
representations set forth therein are true to the best of my knowledge and belief.

Authorized Signature	Title
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STATE OF (_____))
COUNTY OF (_____))

SS

Subscribed and sworn to before me, a Notary Public in and for said County, on this _____ day of
_____, _____.

(NOTARY SEAL)

Notary Public

My Commission Expires

PERSONAL DISCLOSURE STATEMENT

If the applicant is an individual, please complete the information below and on the next three pages for the individual. If the applicant is other than an individual, complete the information below and on the next three pages for all partners, members, officers, directors, shareholders, members, and affiliates identified on page 2 of this application.

Name	Principal Occupation, Employer
Business Street Address	
City / State / Zip Code	Business Telephone No. ()

BUSINESS AFFILIATIONS - List all firms, companies, corporations, or other business organizations of which you are at present a director, officer, employee, partner, member, owner, or affiliate.

Name and Location of Business	Type of Business	Position Held

PERSONAL DISCLOSURE STATEMENT

BUSINESS EXPERIENCE/EMPLOYMENT RECORD DURING THE PAST 10 YEARS:

This is to include details of all gaps in employment, such as attending school, any leaves of absence, unemployment, etc.

Date		Name and Location of Business	Type of Business	Position Held
From	To			

Section 4 of the Regulatory Loan Act of 1963 requires the Director to evaluate the applicant's experience in the licensed area. Please describe below the experiences that helped to qualify you to work in the regulatory loan industry. Attach additional pages as necessary.

PERSONAL DISCLOSURE STATEMENT

Please reply to the following questions:	YES	NO
Have you ever been adjudged as bankrupt or had to work out a compromise with your creditors? If yes, please detail on a separate page.		
Have you ever been convicted of, or pleaded no contest to, any civil or criminal offense involving dishonesty, fraud, or breach of trust? If yes, please detail on a separate page.		
Have you ever been subject to any adverse administrative action with respect to any professional license you hold or have held, including those involving any business or enterprise with which you have been associated as a partner, member, officer, director, shareholder (owning 5% or more of the outstanding voting stock), or affiliate? If yes, please detail on a separate page.		
Has any business or enterprise with which you are or were associated as a partner, officer, director, major shareholder (owning 5% or more of the outstanding voting stock), or affiliate ever been convicted of any criminal matter involving dishonesty, fraud, or breach of trust? If yes, please detail on a separate page.		
Is there any pending civil litigation of any nature in which you are involved as the defendant? If yes, please detail on a separate page.		
Have you ever been convicted of, or pleaded no contest to, any civil or criminal offense? If yes, please detail on a separate page.		

Certification

I hereby certify that the foregoing Personal Disclosure Statement is true and correct to the best of my knowledge and belief. I understand that omissions or inaccuracies may result in denial of the APPLICATION.

Authorized Signature	Title	Date

CONFIDENTIAL BACKGROUND INFORMATION CONSENT FORM

By signing this Consent, I understand and agree to the following:

The following information about me is necessary to assist the Consumer Finance Licensing Unit in evaluating the application of _____ (Applicant). The information will be used to evaluate, among other things, my financial responsibility, experience, character, business reputation, and general fitness, as legally required by section 4 of the Regulatory Loan Act of 1963.

I understand that omissions or inaccuracies in completing the APPLICATION may result in denial of the APPLICATION. The Office may also conduct an independent investigation of me, which may include, but not be limited to, contacting federal and state law enforcement agencies, other governmental agencies, and credit reporting agencies. If any information the Office receives indicates a violation of law, the information will be shared with any agency responsible for investigating or prosecuting the violation.

If information about me would warrant denial of the APPLICATION, the Office will give the Applicant, through the person designated for contact, notice of that fact, including a statement of the statutory and factual basis, which would warrant denial and the Applicant's rights in respect thereto.

Full Name (Please Print)	Home Telephone No. ()		
Residence Address (Including City, State, and Zip Code)	Date of Birth	Sex	Race
Driver's License No.	Social Security No.		
Other names by which I am now known or have used in the past.			
Other name(s) and social security number(s) under which income tax information is filed, if applicable.			

Authorized Signature	Date
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Please return this Consent form with the entire completed application.

Please mail to:
DIFS – Consumer Finance
PO Box 30220
Lansing MI 48909-7720

Our delivery address is:
DIFS – Consumer Finance
530 W. Allegan Street, 7th Floor
Lansing MI 48933

